

STATEMENT OF BASIS

as required by LAC 33:IX.3109, for draft **Louisiana Pollutant Discharge Elimination System Permit No. LA0105520; AI 31222; PER20040001** to discharge to waters of the **State of Louisiana** as per LAC 33:IX.2311.

The **permitting authority** for the Louisiana Pollutant Discharge Elimination System (LPDES) is:

Louisiana Department of Environmental Quality
Office of Environmental Services
P. O. Box 4313
Baton Rouge, Louisiana 70821-4313

- I. **THE APPLICANT IS:** Artesian Utility Company, Inc.
 Lake Ramsey Subdivision
 P.O. Box 1466
 Covington, LA 70434

- II. **PREPARED BY:** Ronda Burtch

- DATE PREPARED:** March 28, 2007

- III. **PERMIT ACTION:** reissue LPDES permit LA0105520, AI 31222; PER20040001

 LPDES application received: February 26, 2004

 LPDES permit issued: December 1, 1998
 LPDES permit expired: November 30, 2003

IV. **FACILITY INFORMATION:**

- A. The application is for the discharge of treated sanitary wastewater from a privately owned treatment works serving the Lake Ramsey Subdivision.

- B. The permit application does not indicate the receipt of industrial wastewater.

- C. The facility is located on Ramsey Road in Lake Ramsey Subdivision, 3.5 miles west of the Village of Ramsey in Covington, St. Tammany Parish.

- D. The treatment facility consists of treatment ponds used as lagoons. Disinfection is by chlorination.

- E. Outfall 001

Discharge Location: Latitude 30° 31' 17" North
 Longitude 90° 10' 51" West

Description: treated sanitary wastewater

Expected Flow: 300 homes x 400 gallons/day/home = 0.120 MGD

Calculations for gallons per day were based upon figures obtained from Chapter 15 of the State of Louisiana Sanitary Code, Department of Health and Hospitals, Office of Public Health.

Type of Flow Measurement which the facility is currently using:

Flow Meter

V. **RECEIVING WATERS:**

The discharge is into an unnamed ditch, thence into the Tchefuncte River in segment 040801 of the Lake Pontchartrain Basin. This segment is listed on the 303(d) list of impaired waterbodies.

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The designated uses and degree of support for Segment 040801 of the Lake Pontchartrain Basin are as indicated in the table below^{1/}:

Overall Degree of Support for Segment 040801	Degree of Support of Each Use						
	Primary Contact Recreation	Secondary Contact Recreation	Propagation of Fish & Wildlife	Outstanding Natural Resource Water	Drinking Water Supply	Shell fish Propagation	Agriculture
Partial	Not Supported	Full	Not Supported	Full	N/A	N/A	N/A

^{1/}The designated uses and degree of support for Segment 040801 of the Lake Pontchartrain Basin are as indicated in LAC 33:IX.1123.C.3, Table (3) and the 2004 Water Quality Management Plan, Water Quality Inventory Integrated Report, Appendix A, respectively.

VI. ENDANGERED SPECIES:

The receiving waterbody, Subsegment 040801 of the Lake Pontchartrain Basin, has been identified by the U.S. Fish and Wildlife Service (FWS) as habitat for the Gulf Sturgeon, which is listed federally as a threatened species. However, this type of discharge is not listed in Section II.2 of the Implementation Strategy as requiring consultation with the U. S. Fish and Wildlife Service (FWS). Therefore, in accordance with the Memorandum of Understanding between the LDEQ and the FWS, no further informal (Section 7, Endangered Species Act) consultation is required. It was determined that the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat.

VII. HISTORIC SITES:

The discharge is from an existing facility location, which does not include an expansion beyond the existing perimeter. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the 'Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits' no consultation with the Louisiana State Historic Preservation Officer is required.

VIII. PUBLIC NOTICE:

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit modification and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

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For additional information, contact:

Ms. Ronda Burtch
Permits Division
Department of Environmental Quality
Office of Environmental Services
P. O. Box 4313
Baton Rouge, Louisiana 70821-4313

IX. PROPOSED PERMIT LIMITS:

Subsegment 040801, Tchefuncte River and Tributaries - Headwaters to confluence with Bogue Falaya River (Scenic), is listed on LDEQ's Final 2004 303(d) List as impaired for pathogen indicators (total fecal coliform) and mercury. To date no TMDLs have been completed for this waterbody. A reopener clause will be established in the permit to allow for the requirement of more stringent effluent limitations and requirements as imposed by a TMDL. Until completion of TMDLs for the Lake Pontchartrain Basin, those suspected causes for impairment which are not directly attributed to the sanitary wastewater point source category have been eliminated in the formulation of effluent limitations and other requirements of this permit. Additionally, suspected causes of impairment which could be attributed to pollutants which were not determined to be discharged at a level which would cause, have the reasonable potential to cause or contribute to an excursion above any present state water quality standard were also eliminated.

Pathogen Organisms

To protect the waterbody against high levels of pathogenic organisms, fecal coliform limitations have been placed in the permit.

Mercury

This subsegment is currently impaired for mercury due to atmospheric deposition. The Department believes that the discharge from this facility will not further cause or contribute to the mercury impairments of this waterbody. Therefore, limitations for mercury will not be addressed in permit development for this facility.

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Final Effluent Limits:

OUTFALL 001

Final limits shall become effective on the effective date of the permit and expire on the expiration date of the permit.

Effluent Characteristic	Monthly Avg. (lbs./day)	Monthly Avg.	Weekly Avg.	Basis
CBOD ₅	10	10 mg/l	15 mg/l	Limits are set in accordance with the Areawide Policy for St. Tammany Parish and the previous permit.
TSS	10	10 mg/l	15 mg/l	The 10 mg/l monthly average and the 15 mg/l weekly average were requirements of the previous LPDES permit. The discharge is into a designated Outstanding Natural Resource Waterbody. Therefore, through Best Professional Judgment, consultation with Wildlife and Fisheries in 1985, and the Antidegradation Policy (LAC 33:IX.1119.C.4, 10 mg/l monthly average and 15 mg/l weekly average is being retained as a requirement for this permit in order to prevent degradation of the receiving waterbody.
Ammonia-Nitrogen	5	5 mg/l	10 mg/l	Limits are set in accordance with the St. Tammany Parish Areawide Policy for facilities of this treatment type and size and the previous permit.

Other Effluent Limitations:

1) Fecal Coliform

The discharge from this facility is into a water body which has a designated use of Primary Contact Recreation. According to LAC 33:IX.1113.C.5.b.i, the fecal coliform standards for this water body are 200/100 ml and 400/100 ml. Therefore, the limits of 200/100 ml (Monthly Average) and 400/100 ml (Weekly Average) are proposed as Fecal Coliform limits in the permit. These limits are being proposed through Best Professional Judgment in order to ensure that the water body standards are not exceeded, and due to the fact that existing facilities have demonstrated an ability to comply with these limitations using present available technology.

2) pH

The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units at any time. (Limits as established through BPJ considering BCT for similar waste streams in accordance with LAC 33:IX.5905.C.).

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3) Solids and Foam

There shall be no discharge of floating solids or visible foam in other than trace amounts in accordance with LAC 33:IX.1113.B.7.

X. PREVIOUS PERMITS:

LPDES Permit No. LA0105520: Issued: December 1, 1998
 Expired: November 30, 2003

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>		<u>Monitoring Requirements</u>	
	<u>Daily Avg.</u>	<u>Daily Max.</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>
Flow	Report	Report	Continuous	Recorder
CBOD ₅	10 mg/l	15 mg/l	2/month	Grab
TSS	10 mg/l	15 mg/l	2/month	Grab
Ammonia-Nitrogen	5 mg/l	10 mg/l	2/month	Grab
Total Residual Chlorine (TRC)	Report	Report	1/week	Grab
Fecal Coliform Colonies	200	400	2/month	Grab

XI. ENFORCEMENT AND SURVEILLANCE ACTIONS:

A) Inspections

A review of the files indicates the following inspections were performed during the period beginning February 19, 2005 and ending February 19, 2007 for this facility.

Date: September 13, 2005

Inspector: LDEQ

Findings and/or Violations:

1. Pond system operating, flow meter not working due to loss of power.
2. No evidence of flooding or overflows.

Date: February 15, 2007

Inspector: LDEQ

Findings and/or Violations:

1. Facility had a permit that expired in 2003, a draft permit was issued in 2004, and the facility failed to finalize permit (by failure to provide proof of financial responsibility) and has had an unpermitted discharge since 2003.

B) Compliance and/or Administrative Orders

A review of the files indicates that there are no recent enforcement actions administered against this facility.

C) DMR Review

A review of the files revealed that no discharge monitoring reports have been submitted since 2002.

XII. ADDITIONAL INFORMATION:

Please be aware that the Department will be conducting a TMDL in the Lake Pontchartrain Basin scheduled for completion in YEAR 2011. The Department of Environmental Quality reserves the right to impose more stringent discharge limitations and/or additional restrictions as a result of the TMDL. Therefore, prior to upgrading or expanding this facility, the permittee should contact the Department to determine the status of the work being done to establish future effluent limitations and additional permit conditions.

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Final effluent loadings (i.e. lbs/day) have been established based upon the permit limit concentrations and the design capacity of 0.120 MGD.

Effluent loadings are calculated using the following example:

$$\text{CBOD: } 8.34 \text{ lb/gal} \times 0.120 \text{ MGD} \times 10 \text{ mg/l} = 10 \text{ lb/day}$$

At present, the Monitoring Requirements, Sample Types, and Frequency of Sampling as shown in the permit are standard for facilities of flows between 0.10 and 0.50 MGD.

<u>Effluent Characteristics</u>	<u>Monitoring Requirements</u>	
	<u>Measurement Frequency</u>	<u>Sample Type</u>
Flow	Continuous	Recorder
CBOD ₅	2/month	Grab
Total Suspended Solids	2/month	Grab
Ammonia-Nitrogen	2/month	Grab
Fecal Coliform Bacteria	2/month	Grab
pH	2/month	Grab

XIII TENTATIVE DETERMINATION:

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to reissue a permit for the discharge described in this Statement of Basis.

XIV REFERENCES:

Louisiana Water Quality Management Plan / Continuing Planning Process, Vol. 8, "Wasteload Allocations / Total Maximum Daily Loads and Effluent Limitations Policy," Louisiana Department of Environmental Quality, 2005.

Louisiana Water Quality Management Plan / Continuing Planning Process, Vol. 5, "Water Quality Inventory Section 305(b) Report," Louisiana Department of Environmental Quality, 1998.

Louisiana Administrative Code, Title 33 - Environmental Quality, Part IX - Water Quality Regulations, Chapter 11 - "Louisiana Surface Water Quality Standards," Louisiana Department of Environmental Quality, 2004.

Louisiana Administrative Code, Title 33 - Environmental Quality, Part IX - Water Quality Regulations, Subpart 2 - "The LPDES Program," Louisiana Department of Environmental Quality, 2004.

Low-Flow Characteristics of Louisiana Streams, Water Resources Technical Report No. 22, United States Department of the Interior, Geological Survey, 1980.

Index to Surface Water Data in Louisiana, Water Resources Basic Records Report No. 17, United States Department of the Interior, Geological Survey, 1989.

LPDES Permit Application to Discharge Wastewater, Artesian Utility Company, Inc., Lake Ramsey Subdivision, February 26, 2004.